

15.06.2026
Item No.25
Court No.37
CHC
(disposed of)

In The High Court at Calcutta
Civil Appellate Jurisdiction
Appellate Side

FAT 192 of 2026
IA NO: CAN/2/2026

Kulbinder Kaur @ Kulwinder Kaur
Vs.
Shamsher Singh

Mr. Dhananjay Banerjee, Advocate
Mr. Pralay Hazra, Advocate
...for the appellant

Mr. Prasun Kr. Datta, Advocate
Mr. Santanu Deb Roy, Advocate
...for the respondent

1. Affidavit-of-service filed in Court be taken on record.
2. Appeal is taken up for consideration subsequent to our order dated June 10, 2026.
3. By our order dated June 10, 2026, we admitted the present appeal and directed trial court records to be brought to the High Court. We granted an order of injunction restraining the respondent from contracting any marriage till September 30, 2026 or until further orders, whichever is earlier.
4. Respondent is represented.

5. Learned advocate appearing for the respondent submits that, the claim of the appellant that, the address of the appellant in the cause-title of the plaint was misdescribed is misplaced. He submits that, the appellant used to reside at her matrimonial home. Subsequent to the matrimonial disputes, the appellant started residing in another flat belonging to the father-in-law of the appellant at the same locality. He submits that, the cause-title in the plaint as described is correct.
6. It appears that, the appellant shifted residence from the plaint where she is described to be residing at the cause-title of the plaint to be an adjoining area. It is acknowledged that, the appellant was not served with the writ of summons of the suit. Consequently, the *ex parte* decree impugned before us is set aside.
7. Appellant is at liberty to file written statement within four weeks from date. Mat Suit No.2935/24(CIS-3102/2024) is remanded to the learned Trial Judge for disposal on merits.
8. Learned Trial Judge is requested to explore the possibility of mediation between the parties.
9. We are making the request for mediation since both the parties before us express their willingness to undergo mediation. We are not directing medication since we are disposing of the appeal.

10. **FAT 192 of 2026** along with connected application are **disposed of**.

11. The order of calling for the trial court records need not be complied with in view of the disposal of the appeal.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)